

ON TRIAL FOR HIS LIFE.

A Priest at Raleigh, N. C., Charged With Assaulting a Young Lady.

Once Tried, Convicted and Sentenced, He Secures a New Hearing, Which Opens To-day. Damaging Evidence.

Special to the Gazette.

RALEIGH, N. C., March 26.—To-morrow and next day is the time set apart by the superior court of Wake county for the second trial of Father J. J. Boyle, of this city, the Catholic priest who is charged with criminal assault upon the person of Miss Geneva Whitaker, a seventeen-year-old girl who was organist in the church of the Sacred Heart of Jesus, over which he presided as priest. The alleged crime was committed in the month of May and his first trial took place in October last, when he was found guilty, and as this crime in North Carolina is punishable by death, he was sentenced to be hanged on Friday, the 29th of November last.

Through a technicality added to the claim that he was convicted because of his religion, he was granted a new trial by the supreme court of that state.

Probably no case at court ever attracted more attention in North Carolina than this one, and because of the fact, so far as is known, that it was the first instance on record of a Catholic priest being charged with the crime of rape, the interest felt in the trial was widespread throughout the country.

The story of the crime, as condensed from a voluminous mass of evidence, is herewith given: On Saturday afternoon, May 11, 1889, Miss Whitaker, in company with a girl friend, went to the church of which Father Boyle was priest, for the purpose of dressing the altar. The two girls had not been there long before a negro boy in the employ of Father Boyle, came into the church and told Miss Whitaker that the priest wanted to see her, as he had just returned from New Bern, and had a message for her. Father Boyle was then in his sitting room, which, with his sleeping apartments, was connected with the church building. Either she went, or her companion, who would return in a few moments. After she had entered the room, and the two had exchanged salutations, the priest is alleged to have seized her by the arms, and pulled her into his lap, thereby incurring her remonstrance, and causing her to remind him that that was not the way for a Catholic priest to act. Whereupon he asked her, "whose business is it if a priest chooses to love a pretty girl and marry her?"

She struggled to get away, but his strong arms held her firmly, while he showered passionate kisses upon her face and neck. It was next alleged that she was thrown violently upon the floor, she screaming as loud as she could. To silence her cries he took her by the throat and told her he would shoot her if she didn't keep quiet. He then successfully accomplished his purpose. He asked her if she would not marry him. This the girl refused to do. He next made her go into his bed chamber adjoining and make her toilet that had been completely disarranged in the struggle. He then threatened to kill her if she told anyone of the assault. She hurried out of the room, and returned home, where she at once narrated to her sister, who, in the affair, the latter fainting at the announcement, but an hour later told her father, who lost no time in getting a warrant for the arrest of Father Boyle, and the priest was soon incarcerated in the city prison. A medical examination proved that the girl had received serious and painful injuries, and about her person there were numerous bruises, that corroborated her statements.

The feeling in the community against the priest was furious, and threats of lynching were freely indulged in. The fact was developed that he had been drinking milk punch that day, and was evidently under its influence when the assault was made. The priest employed eminent legal talent, and vigorously prepared to fight his case, the principal line of defense being that no assault was committed, and that the act was not without consent. At the trial, which took place five months later, the priest went into the witness box and testified in his own behalf. He gave his name as James Joseph Boyle, and said he was thirty years of age. His birthplace, he declared, was Luzerne county, Pennsylvania; that he had been educated at St. Francis Xavier college, New York, and was ordained priest in Illinois. He said he had come to North Carolina a year ago, at the request of Bishop Haid. He testified that the young lady had visited his room repeatedly, and while there she had sat in his lap and kissed him first. He admitted having taken liberties with her, but said that she made no objections to his approaches. He denied having made any threats of violence during the last visit when the assault was made, and swore that all was with her consent. In that he claimed that she consented, he said that he had made no attempt to show the young lady her error in making advances to him, or to restrain her, and that he did not consider himself custodian of her moral character. He had prayed against temptation, he said, but the devil and this child had led him astray, and her bold manner had encouraged him to shamefulness. The priest displayed remarkable tact and ability as a witness, giving good language and telling his story in a plausible, forcible manner.

Miss Whitaker's testimony was given in a modest, artless manner that carried conviction with it. Her character was proven to be beyond reproach, and altogether the evidence against the priest was very strong. It took just three hours for the jury to bring in a verdict of guilty, thereupon Boyle's counsel promptly appealed for a new trial on the ground that the verdict was "contrary to the charge made by the judge to the jury." Boyle's counsel alluded to the strong and angry prejudice, heretofore existing against the Roman Catholic priest, particularly among the country people, of which class the entire jury was composed.

Upon being asked by the judge if he wished to make any remarks, Father Boyle arose quickly and in a most dramatic manner said he recognized that there existed in this community a deep-seated prejudice against Roman Catholics. He frankly avowed that he was subject to all the desires and passions of other men. With the bitterest invective he could summon he attacked the prosecuting counsel and his jury, and the words received an applause from the audience that was quickly suppressed by the judge. He used all the powers of voice and gesture in making his peroration, and took his seat saying he was ready for the sentence. It was the most sensational scene ever witnessed in a North Carolina courtroom; the sentence was at once passed condemning the priest to be hanged on Friday, November 29, 1889. The appeal for the new trial, which opens to-morrow, was subsequently granted. A remarkable coincidence of the trial was that every one of the twelve jurors was a Baptist.

Since the condemned priest was remanded to jail, many evidences have been received here of his bad record in other parts of the country. It is learned that he left his charge in Illinois in ignominy and disgrace, having contrived to raise a large sum of money for the purpose of building a new church, and having then gone to St. Louis and spent it among fast women. The police of St. Louis have him as a very bad character. He became infatuated with one of the demi monde, on Spruce street, in the latter city, from whom he secured sums of money, and subsequently took from her a quantity of jewelry which he had previously given to her. This led to a quarrel between them, which resulted in Boyle's arrest for disturbing the peace and an assault with attempt to kill. He represented himself as a commercial traveler, and not one suspicion of his being a Catholic priest ever dawned upon the women of the house where for a time he was the most frequent visitor.

Not long since the mayor of this city received a letter from a jeweler at Girard, the Illinois town where Father Boyle previously lived. The letter made known the fact that a gold watch had been sold to the priest in February, 1885, and for which the latter individual was still in debt. More recently it has been learned that Boyle was sent by his church to Australia, where he was an escapee and was compelled to return to this country.

It is generally believed here that these new developments concerning his past unsavory career have not been made since his first trial will serve to strengthen the charges made against him, and weaken his chances for acquittal at the new trial. He has borne himself all along with supreme confidence in an ultimate escape from the clutches of the law, and the pique and nerve displayed by him at the conclusion of the previous trial was absolutely novel and fell like a thunder-clap on those who heard it. Great interest is manifested in the approaching trial, and as yet there is a division of opinion as to his guilt or innocence. From letters received here it is made plain that the case will be watched by Catholics all over the country.

DEEP WATER.

Annual Meeting of the Brazos River Channel and Dock Company—Progress of the Work.

Special to the Gazette.

VELASCO, TEX., March 26.—The annual meeting of the Brazos river channel and dock company was held at the office of the company in Velasco yesterday. Over 90 per cent. of the capital stock being represented. The following gentlemen were elected directors for the ensuing year: William D. Lee, Leavenworth, Kas.; United States Senator Farwell and Congressman Abner Taylor of Chicago; Hon. Ira H. Evans of Austin; Charles W. Ogden and G. W. Angle of San Antonio; Thomas J. Hurley of Fort Worth; J. Otis Weatherbee, Boston; I. B. Yale, John Winches and E. J. Wilson of Brazoria.

At a meeting of the directors the following officers were elected: William D. Lee, president; Ira H. Evans, vice president; Thomas J. Hurley, secretary; G. W. Angle, assistant secretary; J. M. Ferguson, treasurer; F. Caldwell, assistant treasurer. The president's annual report showed that the east jetty was finished to a point 3300 feet from the beginning of the west jetty to about 3500 feet, with new work being finished at the rate of fifty feet per day. At the present rate of increase the company will have sixteen feet of water of the bar in June and twenty-three feet in December. The directors ordered work to be commenced at once on the eastern end of the channel, and the river with the railroad systems of the state, and preparations to be made for the erection of a first-class warehouse and docks at the railroad terminus.

The refrigerator committee appointed by the interstate cattlemen's convention are to examine the works to-morrow with a view to the establishment of cooling-houses at a point where the largest ocean vessels can come alongside the wharves. Communications were read from steamship owners in Europe requesting data with reference as to when the port will be open for business. It is now considered absolutely certain that the Brazos river bar will have twenty-three feet of water in December.

Most of the directors departed for their homes to-day.

BUCKETSHOPS BARRED.

The Chicago Board of Trade No Longer to Furnish Them Quotations.

CHICAGO, ILL., March 26.—Judge Tuley this morning rendered his decision in regard to the petition of the board of trade, asking for modification of the injunction restraining the board of trade from discontinuing its quotations to bucketshop men. Judge Tuley decided he would modify the injunction providing the board of trade would agree to go permanently out of the business of furnishing quotations. The board of trade men regard this as an important victory for them. They will discontinue furnishing quotations April 1. Litigation has been going on for several years, and it all grows out of efforts on the part of the board of trade to keep their quotations from the bucketshop. Under today's decision no telegraph company will be allowed on the floor of the exchange, and customers will hereafter be dependent on newspaper reports, or on private messages for their quotations.

Looking Out For Their Claims.

MAHANOY PLANE, Pa., March 26.—The employees of the Laurel Ridge colliery, an individual mine, operated by Simmons H. Barrett of Philadelphia, are seizing livestock to satisfy unpaid labor claims. The colliery has been idle for several weeks owing to the depressed coal trade, and the miners have not received wages due them. Trouble is feared.

Preston's "Red-Ake."

Hon. W. H. Crain, member of congress from Texas, writes: "It affords me pleasure to add my testimony to that of hundreds who have experienced relief by the use of your 'Red-Ake.' Cures in fifteen minutes. For sale all druggists, etc."

ENNIS CATCHING FEVER.

The Central Repair Shops Probably Coming from Corsicana to Ennis.

Fort Worth and Waco Men Buying Ennis Property.

ENNIS, Tex., March 26.—The beautiful town of Ennis is beginning to receive the attention from investors that its advantages warrant. The flourishing towns of the Panhandle are rejoicing in their booms and farm and town properties there bring high prices. But these prices are largely propped up by future prospects and by what is going to be done. Ennis and the surrounding country don't need to talk about the future nor rely on the prophecy of any smart Alcock. The past record of Ennis county is good enough to bank on. Ennis is the well-known banner farm county, producing in 1889 more cotton than any county in Texas. Splendid farms, well improved and cultivated, in sight of Ennis, can be bought for \$15 to \$20 per acre. Most of these farms last year produced three-fourths of a bale of cotton per acre, and that is worth over \$30 in gold. Who can kick on such prices for good land, that has soil rich enough and deep enough to last a lifetime?

Business of all kinds in Ennis is good. Under such favorable conditions Ennis property is remarkably low, and buyers are taking advantage of this fact and planting their money where they are sure of a harvest.

Ennis is on the main line of the Central railroad, and is practically the junction of the Fort Worth and the Kaufman branches. It has a remarkably healthy and advantageous location, and an exceptionally fine water supply. Recognizing all these advantages it is no wonder the officials of the Texas Central railroad want to move the extensive repair shops from Corsicana to Ennis. In spite of all efforts of our Corsicana friends to enjoin the company from moving the shops, the feeling has grown to a certainty that the shops are coming, and all Corsicana combined can't stop them.

Now, Fort Worth has been a bonanza to investors in dirt, and so has Waco. When Fort Worth and Waco men who have made money in those towns drop quietly in and buy property here shows what they think of Ennis. Mr. Travis Jones, of Waco, has an eye to business, and is somewhat of a railroad man himself, and he has bought a large tract of land joining town. S. M. Smith, of Fort Worth, knows the advantage of nearly every town in the Panhandle and North Texas, and is supposed to know a good thing when he sees it, has backed his judgment on Ennis by buying a large tract of suburban property. McDuffie & Bagley, the live land agents, showed your correspondent around town, and they hinted that there is yet room for a few more such suckers as the Fort Worth and Waco men to get in on the ground floor.

Cold Climate Men Accumulate Property. To the Gazette.

Yesterday (Wednesday) a Dallas man came near getting in trouble at the Pickwick table, by saying to a friend in conversation, that Northern men came to Texas and accumulated fortunes; while Southern men residing here, are letting all the opportunities slip by. This seemed to offend a gentleman who sat opposite at the table, and no one can tell what would have happened, had not our Dallas man explained that he was a Southern man, that his feet had never entered a Northern state; but that the fact existed all the same that men of cold climates, like a gentleman who sat opposite at the table, and no one can tell what would have happened, had not our Dallas man explained that he was a Southern man, that his feet had never entered a Northern state; but that the fact existed all the same that men of cold climates, like a gentleman who sat opposite at the table, and no one can tell what would have happened, had not our Dallas man explained that he was a Southern man, that his feet had never entered a Northern state; but that the fact existed all the same that men of cold climates, like a gentleman who sat opposite at the table, and no one can tell what would have happened, had not our Dallas man explained that he was a Southern man, that his feet had never entered a Northern state; 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